

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re application of:

Madaline Chirica, et al.

Application No.: 10/667,290

Filed: September 18, 2003

For: DCRS5 POLYPEPTIDES (as
amended)

Examiner: J. Seharaseyon

Art Unit: 1647

Conf. No.: 8667

Mail Stop 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR WITHDRAWAL FROM ISSUE
UNDER 37 CFR § 1.313(c)(2)

Sir:

Applicants hereby petition the Commissioner to withdraw from issue the above-identified patent application under 37 CFR 1.313(c)(2). The Issue Fee for the above-identified patent application has been paid. This petition is submitted to allow the Examiner to consider the accompanying Request for Continued Examination ("RCE") and the requisite submission under 37 CFR 1.114(c).

Withdrawal from issue is necessary to allow the Examiner to consider the references cited in the Supplemental Information Disclosure Statement (including form PTO/SB/08) accompanying the RCE.

Applicants hereby authorize the Commissioner to charge the \$130.00 fee set forth in §1.17(h) to Deposit Account No. 04-1239. No additional fees are believed to be necessary, however, if any fees are required, the Commissioner is hereby authorized to charge any required fees to Deposit Account No. 04-1239.

Should the Examiner want to discuss any point herein, please call Applicants' representative at (650) 496-6565.

Respectfully submitted,

Date: 31 January 2008

By: /Gregory R. Bellomy/
Gregory R. Bellomy, Reg. No. 48,451
Attorney for Applicants

Customer No. 028008
DNAX Research, Inc.
901 California Avenue
Palo Alto, CA 94304-1104
Telephone (Switchboard): (650) 496-6400
Telephone No. (Direct): (650) 496-6565
Facsimile No.: (650) 496-1200